

SHARTSIS FRIESE LLP
ONE MARITIME PLAZA
EIGHTEENTH FLOOR
SAN FRANCISCO, CA 9 4111

SHARTSIS FRIESE LLP
ARTHUR J. SHARTSIS (Bar #51549)
GREGG S. FARANO (Bar #221505)
KATHERINE R. MILLER (Bar #247390)
One Maritime Plaza, Eighteenth Floor
San Francisco, CA 94111
Telephone: (415) 421-6500
Facsimile: (415) 421-2922
Emails: ashartsis@sflaw.com, gfarano@sflaw.com

Attorneys for Plaintiff
GA ESCROW, LLC

DOLL AMIR & ELEY LLP
GREGORY L. DOLL (Bar # 193205)
RONALD M. ST. MARIE (Bar # 101398)
MARY TESH GLARUM (Bar # 175181)
1888 Century Park East, Suite 1106
Los Angeles, CA 90067
Telephone: (310) 557-9100
Facsimile: (310) 557-9101
Emails: gdoll@dollamir.com, rstmarie@dollamir,
mglarum@dollamir.com

Attorneys for Defendant
AUTONOMY CORPORATION PLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

GA ESCROW, LLC, a Delaware limited liability company, as Representative for the Escrow Participants,

Plaintiff,

v.

AUTONOMY CORPORATION PLC, a corporation formed under the laws of England and Wales,

Defendant.

Case No. C08-01784-SI

FURTHER CASE MANAGEMENT STATEMENT AND PROPOSED ORDER

Judge: The Honorable Susan Illston

Date: September 25, 2009

Time: 2:30 PM

Dept: 10

1 Plaintiff GA Escrow, LLC (“GA Escrow” or “Plaintiff”) and defendant Autonomy
 2 Corporation PLC (“Autonomy” or “Defendant”) respectfully submit this further Joint Case
 3 Management Statement and Proposed Order to update the court on the status of the litigation, and
 4 request a stay of discovery in these proceedings, subject only to any agreements of the parties or
 5 orders for the exchange of documents made by Judge Spero.

6 On July, 31, 2009, this Court held a Further Case Management Conference on this matter.
 7 Following that conference, the Court issued a revised discovery schedule, extending the deadlines
 8 for fact discovery cut-off, designation of experts and expert discovery. The Court also set a
 9 Further Case Management Conference for September 25, 2009.

10 **1. Settlement and ADR.**

11 On August 18, 2009, the parties appeared for a Settlement Conference before Judge
 12 Joseph C. Spero. As a result of the Settlement Conference the parties agreed in principal to a
 13 process by which the claims at issue in this matter might be submitted to a third party expert for a
 14 binding resolution. The parties have agreed to work together to craft mutually acceptable
 15 questions to be submitted to a third party expert. The parties have also agreed to exchange lists of
 16 three proposed experts from which a mutually acceptable third party expert might be chosen. A
 17 Further Settlement Conference before Judge Spero has been set for October 7, 2009.

18 **2. Scheduling.**

19 In light of the fact that the parties will be engaging in further discussions in an effort to
 20 move forward with the above referenced alternative dispute resolution process, the parties request
 21 that all discovery - and corresponding discovery deadlines - in this matter be stayed. The parties
 22 further request that the Court continue the Further Case Management Conference currently set for
 23 Friday, September 25, 2009, until a date following the Further Settlement Conference before
 24 Judge Spero set for October 7, 2009. Following the conference with Judge Spero, the parties will
 25 notify the Court of the status of the settlement process. The parties recognize that should they be
 26 unable to resolve this matter through the contemplated ADR process, the trial date currently set
 27 for February 22, 2010, may need to be continued.
 28

SHARTSIS FRIESE LLP
ONE MARITI ME PLAZA
EIGHTEENTH FLOOR
SAN FRANCISCO, CA 9 4111

1 DATED: August 28, 2009

SHARTSIS FRIESE LLP

3 By: /s/ Gregg S. Farano
GREGG S. FARANO

4 Attorneys for Plaintiff
5 GA ESCROW, LLC

6 DATED: August 28, 2009

DOLL AMIR & ELEY LLP

7 By: /s/ Gregory Lawrence Doll
8 (with permission)
9 GREGORY LAWRENCE DOLL
10 Attorneys for Defendant
11 AUTONOMY CORPORATION PLC

12 **ORDER**

13 Pursuant to the parties' stipulation, and good cause appearing therefore, IT IS HEREBY
14 ORDERED that:

- 15 1. All discovery and corresponding discovery deadlines in this matter are stayed.
16 2. The Further Case Management Conference set for September 25, 2009 is continued
17 until 10/16/09 @ 3 p.m.

18 **IT IS SO ORDERED**

19 Dated: _____



20 The Honorable Susan Illston
21 United States District Judge

22 7602\001\1602891.2